

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

vs.

ROBERT ANTHONY CARNIERO

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Case No. 4:99cr83
(Judge Schell)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the above-referenced criminal action, this Court having heretofore referred the request for the revocation of Defendant's supervised release to the United States Magistrate Judge for proper consideration. Having received the report of the United States Magistrate Judge pursuant to its order, and having considered the parties' waiver of right to object, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore,

ORDERED that the Magistrate Judge's Report is **ADOPTED** as the opinion of the Court.

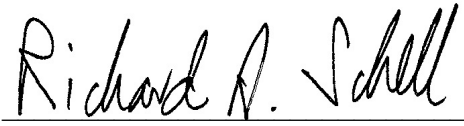
It is further

ORDERED that Defendant's supervised release is hereby **MODIFIED**. It is further

ORDERED that Defendant's supervised release shall be modified as follows:(1) Defendant shall be placed on home detention for a period not to exceed 120 days, to commence immediately. During this time, Defendant shall remain at his place of residence except for employment and other activities approved in advance by the U.S. Probation Officer. Defendant shall maintain a telephone at his place of residence without "call forwarding," "a modem," "Caller I.D.," "Call Waiting," or portable cordless telephones for the 120 day period; (2) At the direction of the probation officer, Defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. Defendant shall pay the cost associated with his program of

electronic monitoring; and (3) Defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.

SIGNED this the 5th day of August, 2010.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE